IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6220 of 2008
ABDUL KAISH
Versus
STATE OF BIHAR
---

03 14.05.2008 Heard both sides.

The petitioner has approached this Court for grant of anticipatory bail in a case instituted under section 414 of the Indian Penal Code.

As per the First Information Report, the police raided the house of one Pramod Rai and recovered one stolen Maruti Car. In the First Information Report the petitioner has been named as an accused, on the basis of the statement made by the co-villagers including Tej Narayan Singh that the stolen car was sold to the main accused namely, Pramod Rai by this petitioner. Learned counsel for the petitioner further submits that there is no evidence on record to connect the petitioner with the said offence. Learned counsel for the petitioner by referring to the statement of Tej Narayan Singh (a witness cited in the First Information Report) appearing at Para 6 of the case diary submits that the said witness has not even named the petitioner as one who sold the said car to Pramod Rai.

WEB COPY NOT OFFICIAL

Having regard to these facts, the petitioner has made out a case for grant of anticipatory bail. Accordingly, let the petitioner namely, Abdul Kaish in the event of his arrest or surrender within four weeks from today before the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten

thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Mufassil P.S.Case No. 33 of 2005, subject to the conditions laid down under section 438(2) Cr.P.C. It is made clear that one of the bailers should be the own family member of the petitioner.

Sym/ **(Kishore K. Mandal, J.)**

WEB COPY NOT OFFICIAL